

AO 91 (Rev. 11/11) Criminal Complaint

**UNITED STATES DISTRICT COURT**  
for the  
**Southern District of Texas**

United States District Court  
Southern District Of Texas  
FILED

JAN 9 2020

United States of America )

v. )

Luis Hector Martinez-Ramos (1987 / MEX) )

Case No.

M-19- 0641 -M

*Defendant(s)*

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 7, 2020 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 United States Code § 554	Did knowingly and willfully conspired to export or send from the United States, any merchandise, article, or object, to wit: four AK 47 style rifles contrary to any law or regulation of the United States, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise, article or object, prior to exportation, knowing the same to be intended for exportation contrary to any law or regulation of the United States.

This criminal complaint is based on these facts:

See Attachment "A"

Continued on the attached sheet.

Complainant's signature

Lori Pendergrass, HSI Special Agent

Printed name and title

*Approved by Robert Guerra AUSA*

Sworn to before me and signed in my presence.

Date: 01/09/2020

*J. Scott Hacker*

Printed name and title

City and state: McAllen, Texas

*J. Scott Hacker*

**Attachment "A"**

I, Lori Pendergrass, am a Special Agent of the United States Homeland Security Investigations (HSI) and have knowledge of the following facts. The facts related in this attachment do not reflect the totality of information known to me or other agents/officers, merely the amount needed to establish probable cause. I do not rely upon facts not set forth herein in reaching my conclusion that a complaint should be issued, nor do I request that this Court rely upon any facts not set forth herein in reviewing this attachment in support of the complaint.

1. On January 7, 2020, Homeland Security Investigations in McAllen, Texas, (HSI McAllen) received a request for investigative assistance from the U.S. Customs and Border Protection (CBP) Office of Field Operations (OFO) at the Hidalgo Port of Entry (POE) in Hidalgo, Texas. CBP Officers (CBPOs) detained Luis Hector Martinez-Ramos (hereinafter MARTINEZ), a citizen of Mexico, B1/B2 visa holder, driving a 2010 Ford Fusion, while attempting to depart the U.S. into Mexico with four (4) Kalashnikov (AK-47) platform rifles concealed within the front bumper area.
2. During primary outbound inspection, CBP Officers (CBPOs) obtained a negative oral declaration for firearms, ammunition and currency over \$10,000.00 from MARTINEZ. CBPOs referred MARTINEZ and the vehicle to secondary inspection for an intensive examination.
3. During secondary inspection, the vehicle was X-rayed, revealing anomalies in the front bumper area of the vehicle.
4. A physical search of the vehicle was conducted, and four (4) Kalashnikov (AK-47) platform rifles were discovered concealed within the front bumper the vehicle. All four (4) rifles had the serial numbers obliterated.
5. Homeland Security Investigations (HSI), Special Agents (SA) responded to the Hidalgo POE to assist in the investigation. HSI SAs interviewed MARTINEZ who, after providing several inconsistent and false statements, stated he was hired by an unknown person in Mexico and to be paid \$400.00 USD to transport what he knew were firearms from the United States into Mexico. MARTINEZ stated he knew it was illegal to transport firearms into Mexico and that he did not have a license to export firearms to Mexico. MARTINEZ admitted he also smuggled firearms into Mexico the previous day.
6. According to the U.S. Department of State, Office of Defense Trade Controls Compliance (DTCC), the seized firearms are determined to be defense articles described on the United States Munitions List (USML) and regulated for export pursuant to the Arms Export Control Act (Title 22, United States Code, 2778).